

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 31-41 and 43-60 are pending. In the present amendment, Claims 41, 43, 44, and 48 are currently amended and Claim 42 is canceled without prejudice or disclaimer. Claim 41 is hereby amended to include subject matter from Claim 42, and Claims 43, 44 and 48 are hereby amended to correct minor informalities. Therefore, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, Claims 41-50 were rejected under 35 U.S.C. § 112, second paragraph; Claim 41 was rejected under 35 U.S.C. § 102(b) as anticipated by Tabata et al. (U.S. Patent No. 6,081,042, hereinafter “Tabata”); Claims 31-40 and 51-60 were allowed; and Claims 42-50 were objected to, but indicated as including allowable subject matter.

Applicants acknowledge with appreciation the indication of allowed and allowable subject matter. Accordingly, Claim 41 is amended to include the allowable subject matter from Claim 42. Therefore, it is respectfully requested that Claim 41, and all claims dependent thereon, be allowed.

Regarding the rejection of Claims 41-50 under 35 U.S.C. § 112, second paragraph, the Office Action on page 3 states that “it is unclear which parallel manner that the claim limitation is referring to.” Claim 41 recites, *inter alia*, “two power trains connecting an internal combustion engine in a parallel manner to wheels of a vehicle.” Accordingly, Applicants respectfully submit that the internal combustion engine is connected to the wheels of a vehicle in a parallel manner by the two power trains defined in Claim 41. Thus, Claim 41 clearly recites that the two power trains are arranged in a parallel manner between the

engine and the wheels. Additionally, Claim 41 is hereby amended to clarify that the first mode of operation is one of the two modes of operation recited in the preamble.

In view of amended Claim 41, it is believed that all pending claims are definite and no further rejection on the basis is anticipated. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually acceptable language.

Regarding the outstanding rejection of Claim 41 under 35 U.S.C. § 102(b), as noted above, Claim 41 is hereby amended to include the allowable subject matter from Claim 42. Therefore, it is respectfully requested that the outstanding rejection of Claim 41 be withdrawn.

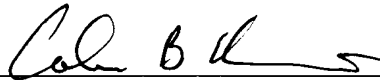
This amendment is submitted in accordance with 37 C.F.R. §1.116 which after final rejection permits entering of amendments canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, or presenting rejected claims in better form for consideration on appeal. The present amendment amends Claim 41 to include the allowable subject matter of Claim 42, and cancels Claim 42. Additionally, Claims 43, 44, and 48 are amended to correct minor informalities based on the amendment to Claim 41. Therefore, this amendment only includes subject matter which was earlier presented. Thus, no new matter has been added, and this amendment does not raise new issues requiring further consideration and/or search. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. §1.116.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Philippe J.C. Signore, Ph.D.
Attorney of Record
Registration No. 43,922

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Colin B. Harris
Registration No. 58,969